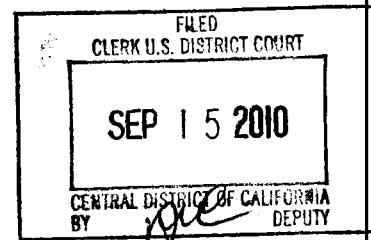


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8 Attorneys for RESPONDENT  
 9 Eric H. Holder, Jr.  
 United States Attorney General

10 UNITED STATES DISTRICT COURT

11 CENTRAL DISTRICT OF CALIFORNIA

12 WESTERN DIVISION

14 ARUTYUN DEMIRCHYAN,  
 15 Petitioner,  
 16 v.  
 17 ERIC H. HOLDER, JR., Attorney  
 General of the United States,  
 19 Respondent.

} No. CV 08-3452 SVW (MANx)

} [PROPOSED] JUDGMENT

} Hon. Stephen V. Wilson

21 This action came on for evidentiary hearings on August 25, 2009 and June 16,  
 22 2010 pursuant to the Ninth Circuit's order. See Demirchyan v. Mukasey, 278 Fed.  
 23 Appx. 778, 779 (9th Cir. 2008). James L. Rosenberg appeared for Petitioner Arutyn  
 24 Demirchyan ("Petitioner") and Assistant United States Attorney Carol A. Chen  
 25 appeared for Respondent Attorney General Eric H. Holder ("Respondent") at the  
 26 August 25, 2009 evidentiary hearing. Bob S. Platt and his associate appeared for  
 27

28 <sup>1</sup> Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure,  
 Attorney General Eric H. Holder, Jr. is substituted for Alberto Gonzales.

1 Petitioner and AUSA Chen appeared for Respondent at the June 16, 2010 evidentiary  
2 hearing.

3 At the hearings, the Court heard live testimony from Susanna Demirchyan and  
4 Avag Demirchyan and received into evidence certain exhibits. After considering the  
5 testimony of the witnesses, the exhibits admitted into evidence at the evidentiary  
6 hearings and the parties' respective lists of exhibits to be moved into evidence, and  
7 in accordance with the Court's Findings of Fact and Conclusions of Law entered on  
8 September 8, 2010, the Court finds that Petitioner has failed to meet his burden of  
9 proving that he is a United States Citizen and as such,

10 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment is  
11 entered in this action as follows:

12 1. Petitioner did not derive U.S. citizenship through his naturalized U.S.  
13 citizenship parents and therefore, as a matter of law, is not a U.S. citizen pursuant to  
14 8 U.S.C. § 1432(a);

15 2. Respondent shall recover from Plaintiff its costs in a sum to be submitted  
16 in a Bill of Costs filed pursuant to the Local Rules of the Central District of California  
17 and this Judgment.

18 3. This case is returned to the Ninth Circuit for further proceedings.

19 The Clerk is ordered to enter this judgment.

20 DATED:

21 *7/16/10*

22 HONORABLE STEPHEN V. WILSON  
UNITED STATES DISTRICT JUDGE



23 RESPECTFULLY SUBMITTED

24 ANDRÉ BIOTTÉ JR.  
United States Attorney  
25 LEON W. WEIDMAN  
Assistant United States Attorney  
26 Chief, Civil Division  
27 */s/*

28 CAROL A. CHEN  
Assistant United States Attorney  
Attorneys for Respondent